

TENTATIVE TRACT MAP NO. 63982 (stamped map dated September 14, 2006)

HEARING DATE: February 20, 2007

### PLANNING DEPARTMENT STAFF REPORT

PURSUANT TO ORDINANCE 164,845, IF A CERTIFICATE OF POSTING HAS NOT BEEN SUBMITTED BEFORE THE DATE OF THE PUBLIC HEARING, IT MUST BE PRESENTED AT THE HEARING, OR THE CASE MUST BE CONTINUED.

#### REQUEST

Tentative Tract Map No. 63982 for the merger and re-subdivision of 10 lots including a portion of a vacated street for a two-lot subdivision for the adaptive reuse of an existing three-story building with 58 joint living and work quarters condominium units on proposed Lot No. 1 and new construction of 30 joint living and work quarters on proposed Lot No. 2 with a total of 197 parking spaces including 21 for guest parking on a 75,691 net square foot site in the MR1-1VL Zone. The project address is 3543-5361 N. Cartwright Avenue and 5357-5361 Denny Avenue.

#### RELEVANT CASES

##### ON-SITE:

ZA-2005-9345-ZV-AA: This is a request for a plan approval for ZA-2003-1666-ZV-ZAA, which previously approved 68 joint living and work quarters with 109 on-site parking spaces on Lot No. 1 and 80 off-site parking spaces on Lot No. 2 now requesting the adaptive reuse of an existing structure for 58 joint living and work quarters with two parking spaces per unit on-site on proposed Lot No. 1 and 14 guest parking spaces off-site on proposed Lot No. 2; and to add two jacuzzis on the rooftop; and to shift the internal use of certain units from the originally approved plan to the following: one residential dwelling unit on the rooftop to be a public exercise room, a yoga room on the 1st floor to be a business center, a yoga room on the 2nd floor to be a residential dwelling unit, and the office on the 3rd floor to be a yoga room.

ZA-2003-1666-ZV-ZAA-PA2: This is a request for a zone variance to allow 30 new joint living and work quarters with 2.25 parking spaces per unit for proposed Lot No. 2 in the MR1-1VL zone, and a Zoning Administrator's Adjustment to allow a building height of 49 feet, 5 inches in lieu of the required 45 feet for a structure on proposed Lot No. 2 in the MR1-1VL zone.

##### OFF-SITE:

There are no relevant cases.

## PUBLIC RESPONSES

Two telephone calls have been received from the public. Both callers were recipients of the hearing notice, and were inquiring of the general nature of the project.

## GENERAL COMMENTS

The project site is relatively flat, and comprised of ten lots totaling 75,691 net square foot site. The subject site is zoned MR1-1VL, and has a Limited Manufacturing Land Use designation within the North Hollywood – Valley Village Community Plan area. The project site is also located within the Community Redevelopment Agency's North Hollywood Redevelopment Plan and the North Hollywood Targeted Neighborhood Initiative areas.

The project site is presently developed with a three-story manufacturing building and a surface parking lot. The surface parking lot is proposed to be removed. The project proposes the merger and re-subdivision of 10 lots including a portion of Denny Avenue, a vacated right-of-way, for a two-lot subdivision. Proposed Lot No. 1 will involve the adaptive reuse of the existing three-story, manufacturing building to contain 58 joint living and work units and the new construction of a parking structure. Proposed Lot No. 2 will include the vacated portion of Denny Avenue for a new 30-unit joint living and work quarters condominium.

The project will include a request for a variance to permit 30 new joint living and work quarters with 2.25 parking spaces for each unit for proposed Lot No. 2 in the MR1-1VL zone, a Zoning Administrator's Adjustment to allow a building height of 49 feet, 5 inches in lieu of the required 45 feet for the structure on proposed Lot No. 2 in the MR1-1VL zone, and a Plan Approval for ZA-2003-1666-ZV-ZAA, which previously approved 68 joint living and work quarters with 109 on-site parking spaces on Lot No. 1 and 80 off-site parking spaces on Lot No. 2 now requesting to permit the adaptive reuse of an existing structure for 58 joint living and work quarters with two parking spaces per unit on-site on proposed Lot No. 1, and 14 guest parking spaces off-site on proposed Lot No. 2; and to add a jacuzzi at the rooftop; and to shift the internal use of units from the originally approved plan to the following: one residential unit on the rooftop to a public exercise room, a yoga room on the 1st floor to a business center, a yoga room on the 2nd floor to a residential unit, and the office on the 3rd floor to a yoga room.

Adjacent land uses include the proposed MTA Bikeway Path to the north in the PF-1 zone, a warehouse to the west across Cartwright Avenue in the MR1-1VL zone, a furniture sales building to the west in the MR1-1VL Zone, and a mixture of single- and multi- family dwellings to the south in the R3-1VL zone. Cartwright Avenue is a Local Street dedicated to a 60-foot width. Denny Avenue is also a Local Street dedicated to a 60 foot width.

The project will provide a total of 197 on-site parking spaces including 21 guest parking spaces that is a ratio of 2.25 spaces for each dwelling unit. The proposed parking will meet the Advisory Agency's parking policy of 2.25 parking spaces for each unit in a non-congested parking area.

The project engineer has certified that the subject site is not within any flood hazard, special hazard or mud-prone area, will not have any adverse impacts upon existing development. The project site is located within a hillside grading area. There are no oak trees on the site.

### REPORTS RECEIVED

**BUREAU OF ENGINEERING:** Reports that the Tract Map layout is satisfactory as submitted and recommends approval subject to conditions pertaining to dedications and improvements along Cartwright Avenue and Denny Avenue in a memo dated January 3, 2006. See recommended conditions in **Draft Tentative Tract Report with Conditions** under department.

**DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION:** Reports review of the subject site cannot be completed and has requested an addendum to the report be submitted in the memo dated February 3, 2006. See recommended conditions in **Draft Tentative Tract Report with Conditions** under department.

**DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION:** A clearance letter will be issued stating that no Building and Zoning Code violations exist on the subject site once the items identified in the memo dated February 18, 2006 have been satisfied. See recommended conditions in **Draft Tentative Tract Report with Conditions** under department.

**DEPARTMENT OF TRANSPORTATION:** Recommends that the project be subject to conditions stated in the memo dated January 17, 2006. See recommended conditions in **Draft Tentative Tract Report with Conditions** under department.

**FIRE DEPARTMENT:** Recommends that the project be subject to conditions stated in the memo dated December 21, 2006. See recommended conditions in **Draft Tentative Tract Report with Conditions** under department.

**LOS ANGELES UNIFIED SCHOOL DISTRICT:** No comments were available at the writing of the staff report.

**DEPARTMENT OF WATER AND POWER:** Reports that this tract can be supplied with water from the municipal system subject to LADWP's Water Services Organization's rules and requirements in the memo dated January 5, 2006. See recommended conditions in **Draft Tentative Tract Report with Conditions** under department.

**BUREAU OF STREET LIGHTING:** No comments were available at the writing of the staff report.

**BUREAU OF SANITATION:** No comments were available at the writing of the staff report.

ENVIRONMENTAL CLEARANCE

The Department of City Planning issued Mitigated Negative Declaration ENV-2005-8690-MND on February 14, 2007. See **Draft Tentative Tract Report with Conditions**.

FISH AND GAME

The project qualifies for the De Minimis Exemption for Fish and Game fees (AB 3158). See **Draft Tentative Tract Report with Conditions**.

TENANTS

There are no tenants on the site.

STAFF RECOMMENDATIONS

The Planning Department staff recommends that Tentative Tract Map No. 63982 be taken **under advisement** for the following reasons:

As stated in the North Hollywood Redevelopment Plan, commercial and residential uses are only permitted within industrial areas in connection with commercial, residential or artcraft use pursuant to the City Council adopted Commercial and Artcraft District Ordinance. Joint Living and Work Quarters are proposed for Lot No. 2 in the MR1-1VL zone. Appropriate City action is required to add the CA Supplemental Use designation to the zoning of proposed Lot No. 2. Also, CRA/LA Board approval of an Owner Participation Agreement for the development is required.

However, in the subject to the standard conditions and the additional conditions in the **Draft Tentative Tract Report with Conditions**.

Prepared by:

HENRY CHU  
City Planning Associate  
(213) 473-9919

**Note:** Recommendation does not constitute a decision. Changes may be made by the Advisory Agency at the time of the public hearing.

**DRAFT TENTATIVE TRACT REPORT WITH CONDITIONS**

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code, the Advisory Agency approved Tentative Tract Map No. 63982 composed of the merger and re-subdivision of 10 lots and a portion of a vacated right-of-way, located at 5343-5361 N. Cartwright Avenue and 5357-5361 Denny Avenue, for a maximum **30 Joint Living and Work Quarters** condominium units on Lot No. 1 and **58 Joint Living and Work Quarters** condominium units on Lot No. 2, for a total of **88 Joint Living and Work Quarters** condominium units as shown on map stamp-dated September 14, 2006 in the North Hollywood – Valley Village Community Plan. This unit density for proposed Lot No. 1 is based on the conversion of an existing nonresidential building into a residential use as permitted by the Adaptive Reuse ordinances. The unit density for proposed Lot No. 2 is based on the MR1-1VL Zone and the approval of ZA-2005-9345-ZV. (The subdivider is hereby advised that the Municipal Code may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety, which will legally interpret the Zoning code as it applies to this particular property.) For an appointment with the Advisory Agency or a City Planner call (213) 473-9984 [For an appointment with the Subdivision Counter call (213) 978-1362]. The Advisory Agency's approval is subject to the following conditions:

**NOTE** on clearing conditions: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

**BUREAU OF ENGINEERING - SPECIFIC CONDITIONS**

1. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Bureau of Engineering, binding the subdivider and all successors to the following:
  - a. That a minimum 42-foot property line radius cul-de-sac be dedicated at the northerly terminus of Denny Avenue more or less as shown on the tentative map. The entire proposed cul-de-sac shall be dedicated within this tract property all on alignment satisfactory to the City Engineer.
  - b. That variable width strips of land be dedicated for public street and sidewalk purposes at the terminus of Cartwright Avenue to accommodate the existing cul-de-sac turnaround area adjacent to the tract map area.
  - c. That a 10-foot wide walk easement be dedicated along the easterly line of proposed lot 2 between the Denny Avenue cul-de-sac and the MTA right-of-way to access to the proposed MTA bikeway.

- d. That any area northerly of the proposed Denny Avenue cul-de-sac be permitted to be merged with the remainder of the subdivision pursuant to Section 66499.20-1/2 of the State Government Code, and in addition, the following be done and be administered by the City Engineer:
- (1) That consents to the street being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
  - (2) That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.

Note: The Advisory Agency hereby finds that the dedications to be merged are unnecessary for the present or prospective public purposes and all owners of the interest in the real property within the subdivision have or will have consented to the merger prior to the recordation of the final map.

- e. That consent to the proposed merger of Denny Avenue be obtained from the MTA, owner of the property adjoining the merger area.
- f. That a Covenant and Agreement be recorded advising all future owners and builders that prior to issuance of a building permit, a Notice of Acknowledgment of Easement must be recorded and an application to do work in any sanitary sewer alignment within the proposed merger area and to construct over the existing sanitary sewer facilities must be submitted to the City Engineer for approval.
- g. That all the proposed tract map boundary lines be properly established in accordance with Section 17.07-D of the Los Angeles Municipal Code prior to the recordation of the final map satisfactory to the City Engineer.

#### **DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION**

2. That prior to issuance of a grading or building permit, or prior to recordation of the final map, the subdivider shall make suitable arrangements to assure compliance, satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Inter-Departmental Letter dated February 3, 2006, Log No. 51462 and attached to the case file for Tract No. 63982.

#### **DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION**

3. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:

- a. Show all street dedication(s) as required by Bureau of Engineering. "Area" requirements shall be re-checked as per net lot area after street dedication.
- b. Obtain copies of building permits, plot plans and certificates of occupancy for the existing building. Copies can be obtained from the LADBS Records Counter, 201 North Figueroa Street, Los Angeles, 1st Floor.
- c. The submitted plot plan is not complete. Provide a plot plan drawn to scale that accurately dimensions all: lot areas (after dedication required by Bureau of Engineering), building sizes and required yards on the site. Indicate the permitted use, number of stories and the type of construction for the buildings on the site.
- d. Provide a copy of the application or resolution for street vacation. The street vacation shall be completed prior to or concurrently with the map recording.
- e. Due to the irregular configuration of the lot, the Department recommends that the front, side and rear lot line locations be designated by the Advisory Agency.
- f. The submitted map does not comply with the front and rear yards (15 ft.), side yard(s) (6 ft.) requirement of the MR1-1VL Zone. Revise the map to show compliance with the above requirement(s) or obtain approval from the Department of City Planning.
- g. Parking is required for the existing and proposed structures to remain. Show location of all parking spaces and access driveways.

Note: An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Eric Cabrera at (213) 482-0474 to schedule an appointment.

#### **DEPARTMENT OF TRANSPORTATION**

4. That prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
  - a. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.
  - b. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street Suite 400, Station 3. (MM)

**FIRE DEPARTMENT**

5. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
  - a. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action. (MM)
  - b. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel. Exception: Dwelling unit travel distance shall be computed to front door of unit.
  - c. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
  - d. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
  - e. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
  - f. Adequate public and private fire hydrants shall be required.
  - g. Access for Fire Department apparatus and personnel to and into all structures shall be required.

**DEPARTMENT OF WATER AND POWER**

6. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Water System Rules and requirements. Upon compliance with these conditions and requirements, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1.(c).)

**BUREAU OF STREET LIGHTING**

7. Street light improvements shall be made to the satisfaction of the Bureau of Street Lighting and/or the following street lighting improvements shall be required. (This condition shall be deemed cleared at the time the City Engineer clears Condition S-3. (c).)



**BUREAU OF SANITATION**

8. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d).)

**INFORMATION TECHNOLOGY AGENCY**

9. That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the Los Angeles Municipal Code Section 17.05N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 N. Main Street, 12<sup>th</sup> Floor, Los Angeles, CA 90012, (213) 922.8363.

**DEPARTMENT OF RECREATION AND PARKS**

10. That the Quimby fee be based on the R4 zone. (MM)

**DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS**

11. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
  - a. Limit the proposed development to a maximum of 58 Joint Living and Work Quarters condominium units on proposed Lot No. 1, and 30 Joint Living and Work Quarters condominium units on proposed Lot No. 2.
  - b. Joint Living and Work Quarters Condominium Units: Provide a minimum two covered off-street parking spaces for each Joint Living and Work Quarters unit, plus 1/4 guest parking spaces for each unit. All guest spaces shall be readily accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety.

If guest parking spaces are gated, a voice response system shall be installed at the gate. Directions to guest parking spaces shall be clearly posted. Tandem parking spaces shall not be used for guest parking.

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 No. Spring Street, Room 750).

- c. That prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.
  - d. The applicant shall install an air filtration system to reduce the effects of diminished air quality on occupants of the project. (MM)
  - e. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
  - f. That the subdivider consider the use of natural gas and/or solar energy and consult with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
  - g. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. (MM)
12. That the subdivider shall make suitable arrangements for clearance with the Community Redevelopment Agency for the North Hollywood Redevelopment Project area.

**Note to Plan Checker:** The Deputy Advisory Agency designates the west property line as the front yard for Lot No. 1. The east property line is the front yard for Lot No. 2.

#### **DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES**

13. That prior to recordation of the final map the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770 and Exhibit CP-6770. M) in a manner satisfactory to the Planning Department requiring the subdivider to identify a mitigation monitor who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition Nos. **4b, 5a, 10, 11d, 11g, 14, and 15** of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitor(s) shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, postconstruction/maintenance) to ensure continued implementation of the above mentioned mitigation items.

14. Prior to the recordation of the final map, the subdivider will prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

- MM-1 All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decision maker.
- MM-2 Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.
- MM-3 The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.
- MM-4 The project shall comply with the Uniform Building Code Chapter 18. Division 1 Section 1804.5 Liquefaction Potential and Soil Strength Loss which requires the preparation of a geotechnical report. The geotechnical report shall assess potential consequences of any liquefaction and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration.
- MM-5 Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.
- MM-6 All multiple residential buildings shall have adequate ventilation as defined in Section 91.7102 of the Municipal Code of a gas-detection system installed in the basement or on the lowest floor level on grade, and within the underfloor space in buildings with raised foundations.
- MM-7 Concrete, not metal, shall be used for construction of parking ramps.
- MM-8 The interior ramps shall be textured to prevent tire squeal at turning areas.
- MM-9 The applicant shall pay school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.

MM-10 The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation.

15. **Construction Mitigation Conditions** - Prior to the issuance of a grading or building permit, or the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

CM-1. That a sign be required on site clearly stating a contact/complaint telephone number that provides contact to a live voice, not a recording or voice mail, during all hours of construction, the construction site address, and the tract map number. **YOU ARE REQUIRED TO POST THE SIGN 7 DAYS BEFORE CONSTRUCTION IS TO BEGIN.**

- a. Locate the sign in a conspicuous place on the subject site or structure (if developed) so that the public can easily read it. The sign must be sturdily attached to a wooden post if it will be freestanding.
- b. Regardless of who posts the site, it is always the responsibility of the applicant to assure that the notice is firmly attached, legible, and remains in that condition throughout the entire construction period.
- c. If the case involves more than one street frontage, post a sign on each street frontage involved. If a site exceeds five (5) acres in size, a separate notice of posting will be required for each five (5) acres, or portion thereof. Each sign must be posted in a prominent location.

CM-2. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.

CM-3. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.

CM-4. All loads shall be secured by trimming, watering or other appropriate

means to prevent spillage and dust.

- CM-5. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- CM-6. All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- CM-7. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- CM-8. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- CM-9. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- CM-10. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-11. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- CM-12. The project sponsor must comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
- CM-13. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), construct diversion dikes to channel runoff around the site. Line channels with grass or roughened pavement to reduce runoff velocity.
- CM-14. Incorporate appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. These will shield and bind the soil.
- CM-15. Stockpiles and excavated soil shall be covered with secured tarps or

plastic sheeting.

- CM-16. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- CM-17. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- CM-18. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- CM-19. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- CM-20. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- CM-21. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes to catch drips and spills.

#### **DEPARTMENT OF CITY PLANNING-STANDARD ADAPTIVE REUSE CONDITIONS**

- AR-1. That prior to recordation of the final map, the subdivider shall make arrangements with the Housing Authority for certification of the development in accordance with Section 12.39-A of the Los Angeles Municipal Code relating to low and moderate housing. The Housing Authority shall transmit a copy of its determination to the Bureau of Engineering and the Department of Building and Safety.
- AR-2. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with Section 17.12 of the Los Angeles Municipal Code and to be paid and deposited in the trust accounts of the Park and Recreation Fund.
- AR-3. In order to expedite the development, the applicant may apply for a building permit for an apartment building. However, prior to issuance of a building permit for joint living and work units, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site, have been included into the building plans. Such letter is sufficient to clear this condition. In

addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

**OR**

If a building permit for joint living and work quarters will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for a joint living and work quarters building and intends to acquire a building permit for a joint living and work condominium building(s). Such letter is sufficient to clear this condition.

AR-4. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential uses, no construction or use shall be permitted until the final map has recorded or the proper zone has been effectuated. If models are constructed under this tract approval, the following conditions shall apply:

1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Division of Land Section of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.
2. All other conditions applying to Model Dwellings under Section 12.22A, 10 and 11 and Section 17.05 O of the Code shall be fully complied with satisfactory to the Department of Building and Safety.

**DEPARTMENT OF CITY PLANNING-STANDARD JOINT LIVING AND WORK CONDITIONS**

LW-1. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with Section 17.12 of the Los Angeles Municipal Code and to be paid and deposited in the trust accounts of the Park and Recreation Fund.

LW-2. That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730 prior to obtaining any grading or building permits before the recordation of the final map.

In the event the subdivider decides not to request a permit before the recordation of the final map, a covenant and agreement satisfactory to the Advisory Agency

guaranteeing the submission of such plan before obtaining any permit shall be recorded.

LW-3. In order to expedite the development, the applicant may apply for a building permit for a joint living and work building. However, prior to issuance of a building permit for joint living and work units, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

**OR**

If a building permit for joint living and work quarters will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for a joint living and work quarters building and intends to acquire a building permit for a joint living and work condominium building(s). Such letter is sufficient to clear this condition.

LW-4. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential uses, no construction or use shall be permitted until the final map has recorded or the proper zone has been effectuated. If models are constructed under this tract approval, the following conditions shall apply:

1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Division of Land Section of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.
2. All other conditions applying to Model Dwellings under Section 12.22A, 10 and 11 and Section 17.05 O of the Code shall be fully complied with satisfactory to the Department of Building and Safety.

**BUREAU OF ENGINEERING - STANDARD CONDITIONS**

- S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the Municipal Code.
- (b) That survey boundary monuments be established in the field in a manner



satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.

- (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
  - (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
  - (e) That drainage matters be taken care of satisfactory to the City Engineer.
  - (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
  - (g) That any required slope easements be dedicated by the final map.
  - (h) That each lot in the tract comply with the width and area requirements of the Zoning Ordinance.
  - (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
  - (j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
  - (k) That no public street grade exceed 15%.
  - (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.
- S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:

- (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
  - (b) Make satisfactory arrangements with the Department of Traffic with respect to street name, warning, regulatory and guide signs.
  - (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
  - (d) All improvements within public streets, private street, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.
  - (e) Any required bonded sewer fees shall be paid prior to recordation of the final map.
- S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
  - (b) Construct any necessary drainage facilities.
  - (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.
  - (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree planting's shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Street Tree Division ((213) 485-5675) upon completion of construction to expedite tree planting.
  - (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
  - (f) Construct access ramps for the handicapped as required by the City Engineer.

- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.
- (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
  - (1) After submittal of hydrology and hydraulic calculations and drainage plans for review by the City Engineer prior to recordation of the final map, drainage facilities may be required to drain the public streets to an outlet satisfactory to the City Engineer.
  - (2) Improve Cartwright Avenue adjoining the tract by the construction of additional concrete sidewalk to provide a full width sidewalk, including any necessary removal and reconstruction of the existing improvements all satisfactory to the City Engineer.
  - (3) Improve Denny Avenue being dedicated and adjoining the subdivision by the construction of the following:
    - a. Concrete curbs, concrete gutters, a 7-foot wide sidewalk adjacent to the cul-de-sac frontage and 5-foot concrete sidewalks adjacent to the property line and landscaping of the parkway along the remaining frontage.
    - b. Suitable surfacing to join the existing pavement to complete an 18-foot half roadway.
    - c. Any necessary removal and reconstruction of existing improvements including the closure of the existing Denny Avenue being merged.
    - d. The necessary transitions to join the existing improvements all satisfactory to the City Engineer.
    - e. Suitable improvements of the 35-foot curb radius cul-de-sac satisfactory to the City Engineer.
  - (4) Improve the walk easement area being dedicated satisfactory to the City Engineer.

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the tract action. However the existing or proposed zoning may not permit this number of units.

Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through Bureau of Street Services Urban Forestry Division.

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of all new utility lines in conformance with Section 17.05N of the Los Angeles Municipal Code.

The final map must record within 36 months of this approval, unless a time extension is granted before the end of such period.

The Advisory Agency hereby finds that this tract conforms to the California Water Code, as required by the Subdivision Map Act.

No building permit will be issued until the subdivider has secured a certification from the Housing Authority that the development complies with the requirements for low-and moderate-income housing, per Section 12.39-A of the LAMC.

The subdivider should consult the Department of Water and Power to obtain energy saving design features which can be incorporated into the final building plans for the subject development. As part of the Total Energy Management Program of the Department of Water and Power, this no-cost consultation service will be provided to the subdivider upon his request.

**Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

## **FINDINGS OF FACT (CEQA)**

The Department of City Planning issued Mitigated Negative Declaration ENV-2005- 8690-MND on February 14, 2007. The Department found that potential negative impact could occur from the project's implementation due to:

- Aesthetics (landscaping, light);
- Air Quality (construction, operational);
- Geology and Soils (seismic, liquefaction);
- Hazards and Hazardous Materials (methane);
- Hydrology and water Quality (stormwater);
- Land Use Planning (land use plan policy);
- Noise (construction, operational, parking ramps);
- Public Services (fire, schools, street improvements);
- Recreation (parks);
- Transportation/Circulation (Emergency Access);
- Utilities (Solid Waste).

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2005-8690-MND reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of Condition **Nos. 4b, 5a, 10, 11d, 11g, 14, and 15** of the Tract's approval. Other identified potential impacts not mitigated by these conditions are mandatorily subject to existing City ordinances, (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Xeriscape Ordinance, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

In accordance with Section 21081.6 of the Public Resources Code (AB-3180), the Deputy Advisory Agency has assured that the above identified mitigation measures will be implemented by requiring reporting and monitoring as specified in Condition No. 13.

### **FINDINGS OF FACT (SUBDIVISION MAP ACT)**

In connection with the approval of Tentative Tract Map No. 63982, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

- (a) THE PROPOSED MAP WILL BE/IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The adopted North Hollywood - Valley Village Community Plan designates the subject property for Limited Manufacturing land use with the corresponding zones of

M1, MR1, and P. The property is not located in a Specific Plan, but is located within the Community Redevelopment Agency's North Hollywood Redevelopment Plan area. The tract has been approved contingent upon the satisfaction of the Community Redevelopment Agency.

The property contains approximately 1.738 net acres (75,691 net square feet after required dedication) and is presently zoned MR1-1. The proposed adaptive reuse of an existing industrial building in proposed Lot No. 1 is allowable under the current adopted zone and the land use designation. The new construction for Proposed Lot No. 2 will be allowed by the approval of ZA-2005-9345-ZV and contingent upon the approval of the Community Redevelopment Agency. The project will provide much needed new home ownership opportunities for the North Hollywood – Valley Village Community Plan area.

The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas).

Therefore, as conditioned, the proposed tract map is consistent with the intent and purpose of the applicable General and Specific Plans.

(b) **THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.**

Denny Avenue is a Local Street dedicated to a 60-foot width. Cartwright Avenue is a Local Street dedicated to a 60-foot width. The Bureau of Engineering is requiring a minimum 42-foot property line radius cul-de-sac be dedicated at the northerly terminus of Denny Avenue. Also being required are variable width strips of land be dedicated for public street and sidewalk purposes at the terminus of Cartwright Avenue to accommodate the existing cul-de-sac turnaround area adjacent to the tract map area, and also that a 10-foot wide walk easement be dedicated along the easterly line of proposed Lot No. 2 between the Denny Avenue cul-de-sac and the MTA right-of-way to access the proposed MTA bikeway. This project is not subject to any Specific Plan requirements. The proposed project will provide 197 parking spaces in conformance with the Los Angeles Municipal Code and the Deputy Advisory Agency's parking policy for condominium projects in non-parking congested areas. As conditioned the design and improvements of the proposed project are consistent with the applicable General and Specific Plans.

(c) **THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED TYPE OF DEVELOPMENT.**

The site is currently developed with an industrial building and a surface parking lot. It is one of the few under-improved properties in the vicinity. The development of this

tract is an infill of an otherwise mix-density neighborhood.

The site is relatively level and not located in a slope stability study area, high erosion hazard area, hillside area or a fault-rupture study zone.

The tract has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits.

- (d) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT.

Adjacent land uses include the proposed MTA Bikeway to the north in the PF-1 zone, a distribution warehouse to the west across Cartwright Avenue in the MR1-1VL zone, a furniture sales building to the west in the MR1-1VL zone, and single- and multi-family dwellings to the south in the R3-1VL zone.

The proposed project will comply with all L.A.M.C requirements for parking, yards, and open space. As conditioned the proposed tract map is physically suitable for the proposed density of the development.

- (e) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.

The Initial Study prepared for the project identifies no potential adverse impacts on fish or wildlife resources as far as earth, air, water, plant life, animal life, risk of upset are concerned. The project site, as well as the surrounding area are presently developed with structures and do not provide a natural habitat for either fish or wildlife.

In light of the above, the project qualifies for the De Minimis Exemption for Fish and Game fees (AB-3158).

- (f) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

There appear to be no potential public health problems caused by the design or improvement of the proposed subdivision.

The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has

been upgraded to meet Statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

- (g) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

No such easements are known to exist. Needed public access for roads and utilities will be acquired by the City prior to recordation of the proposed tract.

- (h) THE DESIGN OF THE PROPOSED SUBDIVISION WILL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.

Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.

The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.

The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.

In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans; planting of trees for shade purposes and the height of the buildings on the site in relation to adjacent development.

These findings shall apply to both the tentative and final maps for Tract Map No. 63982.



S. Gail Goldberg, AICP  
Advisory Agency

MAYA ZAITZEVSKY  
Deputy Advisory Agency

MZ:RG:HC:jq

Note: If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the Harbor Area Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

Figueroa Plaza  
201 N. Figueroa St., 4<sup>th</sup> Floor  
Los Angeles, CA 90012  
213.482.7077

Marvin Braude San Fernando  
Valley Constituent Service Center  
6262 Van Nuys Blvd., Room 251  
Van Nuys, CA 91401  
818.374.5050

**Forms are also available on-line at [www.lacity.org/pln](http://www.lacity.org/pln).**

The time in which a party may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

If you have any questions, please call Subdivision staff at (213) 978-1362.